

importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

### CITED REFERENCES

#### U.S. Patent Documents

	<u>Document</u> <u>Number</u>	<u>Date</u>	<u>Name</u>	<u>Class</u>	<u>Filing Date</u> <u>If appropriate</u>
56	5,352,450	10/04/94	Koga, et al.	<del>424</del>	05/29/90
11	5,650,320	07/22/97	Caufield, et al.	<del>435</del>	04/20/94

#### Foreign Documents

	<u>Document</u> <u>Number</u>	<u>Date</u>	<u>Name</u>	<u>Country</u>
56	0 543 195 A2	10/30/92	Thomae, et al.	EPO
11	WO 96/40865	12/19/96	Hillman	PCT
11	WO 98/17685	04/30/98	Caufield	PCT

#### Other Documents

- 56 1) European Search Report for European Patent Application 98928967.3-2106-US9812003
- 11 2) EMBL database entry AAP91366
- 11 3) Gutierrez, et al., "Insertional Mutagenesis and Recovery of Interrupted Genes of *Streptococcus mutans* by Using Transposon Tn917: Preliminary Characterization of Mutants Displaying Acid Sensitivity and Nutritional Requirements", *Journal of Bacteriology*, Vol. 178, No. 14, pp. 4166-4175, July 1997
- 11 4) Mota-Meira, et al., "Purification and Structure of Mutacin B-Ny266: A New Lantibiotic Produced by *Streptococcus Mutans*", *FEBS Letters*, 410, pp. 275-279, February 1997
- 11 5) Hillman, et al., "Genetic and Biochemical Analysis of Mutacin 1140, A Lantibiotic from *Streptococcus Mutans*", *Infection and Immunity*, Vol. 66, No.6, pp. 2743-2749, November, 1997

Stephen Zucker 10/30/04

- 56 6) Smith, et al., "*Probing Structural Heterogeneity in Mutacin 1140, a Novel Lantibiotic*". Fortieth International Experimental Nuclear Magnetic Resonance Conference, Orlando, Florida, February 28-March 5, P034-73 (1999)
- 11 7) Smith, et al., "*Covalent and Initial Three-Dimensional Structure of the Lantibiotic Mutacin 1140*". Southeast Magnetic Resonance Conference, Tallahassee, Florida P45-102, Fall (1999)
- 11 8) Mota-Meira, et al., "*MICs of Mutacin B-Ny266, Nisin A, Vancomycin, and Oxacillin against Bacterial Pathogens*", *Antimicrobial Agents and Chemotherapy*, pp. 24-29, January 2000
- 11 9) Smith, et al., "*Covalent Structure of Mutacin 1140 and a Novel Method for the Rapid Identification of Lantibiotics*", *Eur. J. Biochem.*, 267, pp. 6810-6816, 2000

Respectfully submitted,

Date: February 12 2002

by:



**Lisa M.W. Hillman**

Reg. No. 43,673

Stephen Gucker 10/30/04